

determining they will not endanger life or safety, and such use is in accordance with his rules and regulations.

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-108 effective Oct. 20, 1967, see section 3 of Pub. L. 90-108, set out as a note under section 193a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 136, 174b-1, 184a, 193h, 193i, 193j, 193k, 193l, 193m, 212a, 212c of this title.

§ 193g. Parades or assemblages; display of flags; Capitol Grounds

It is forbidden to parade, stand, or move in processions or assemblages in said United States Capitol Grounds, or to display therein any flag, banner, or device designed or adapted to bring into public notice any party, organization, or movement, except as hereinafter provided in sections 193j and 193k of this title.

(July 31, 1946, ch. 707, § 7, 60 Stat. 719.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 136, 174b-1, 184a, 193h, 193i, 193j, 193k, 193l, 193m, 212a, 212c of this title.

§ 193h. Prosecution and punishment of offenses

(a) Firearms, dangerous weapons, explosives, or incendiary device offenses

Any violation of section 193f(a) of this title, and any attempt to commit any such violation, shall be a felony punishable by a fine not exceeding \$5,000, or imprisonment not exceeding five years, or both.

(b) Other offenses

Any violation of section 193b, 193c, 193d, 193e, 193f(b), or 193g of this title, and any attempt to commit any such violation, shall be a misdemeanor punishable by a fine not exceeding \$500, or imprisonment not exceeding six months, or both.

(c) Procedure

Violations of sections 193a to 193m, 207a, 212a, 212a-2, 212a-3, and 212b of this title, including attempts or conspiracies to commit such violations, shall be prosecuted by the United States attorney or his assistants in the name of the United States. None of the general laws of the United States and none of the laws of the District of Columbia shall be superseded by any provision of said sections. Where the conduct violating said sections also violates the general laws of the United States or the laws of the District of Columbia, both violations may be joined in a single prosecution. Prosecution for any violation of section 193f(a) of this title or for conduct which constitutes a felony under the general laws of the United States or the laws of the District of Columbia shall be in the United States District Court for the District of Columbia. All other prosecutions for violations of said sections may be in the Superior Court of the District of Columbia. Whenever any person is convicted of a violation of said sections and of the general laws of the United States or the laws of the District of Columbia, in a prosecution under this subsection, the penalty which may be

imposed for such violation is the highest penalty authorized by any of the laws for violation of which the defendant is convicted.

(July 31, 1946, ch. 707, § 8, 60 Stat. 719; Pub. L. 88-60, §§ 1, 7, July 8, 1963, 77 Stat. 77, 78; Pub. L. 90-108, § 1(c), Oct. 20, 1967, 81 Stat. 277; Pub. L. 91-358, title I, § 155(a), July 29, 1970, 84 Stat. 570.)

AMENDMENTS

1967—Pub. L. 90-108 struck out provisions setting a blanket punishment of not exceeding \$100 or imprisonment not exceeding 60 days for offenses against sections 193b to 193g of this title, with prosecution for such offenses to be had in the District of Columbia Court of General Sessions upon information by the United States Attorney or any of his assistants and raising the imprisonment to not more than five years in cases where public property is damaged in an amount exceeding \$100 and inserted provisions dividing the offenses into felonies and misdemeanors with different punishments for each and setting out the procedures to be followed in the prosecution for such felonies or misdemeanors, including provisions when the conduct involved violates both the general laws of the United States and the District of Columbia in addition to sections 193a to 193m, 212a, 212a-2, and 212b, of this title.

CHANGE OF NAME

“District of Columbia Court of General Sessions” was changed to “Superior Court of the District of Columbia” pursuant to Pub. L. 91-358, which provides that such change is effective the first day of the seventh calendar month which begins after July 29, 1970.

“District of Columbia Court of General Sessions” was the designation given to the “Municipal Court for the District of Columbia” by Pub. L. 88-60, §§ 1, 7, July 8, 1963, 77 Stat. 77, 78, which provided that, eff. Jan. 1, 1963, whenever reference is made in any Act of Congress to the “Municipal Court for the District of Columbia”, such reference shall be held to be a reference to the “District of Columbia Court of General Sessions.”

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-108 effective Oct. 20, 1967, see section 3 of Pub. L. 90-108, set out as a note under section 193a of this title.

OFFENSES COMMITTED PRIOR TO JULY 31, 1946

Section 15 of act July 31, 1946, provided that: “Any violation of any of the provisions of said Acts hereby repealed [sections 194 to 205 and 213 of this title], occurring before the date of this repeal [July 31, 1946], may be prosecuted to the same extent as if this Act [enacting sections 193a to 193m, 207a, 212a, 212a-2, 212a-3, and 212b of this title] had not been enacted.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 136, 174b-1, 184a, 193i, 193k, 193l, 193m, 212a, 212c of this title.

§ 193i. Assistance to authorities by Capitol employees

It shall be the duty of all persons employed in the service of the Government in the Capitol or in the United States Capitol Grounds to prevent, as far as may be in their power, offenses against sections 193a to 193m, 207a, 212a, 212a-2, 212a-3, and 212b of this title, and to aid the police, by information or otherwise, in securing the arrest and conviction of offenders.

(July 31, 1946, ch. 707, § 10, 60 Stat. 719.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 136, 174b-1, 184a, 193h, 193k, 193l, 193m, 212a, 212c of this title.

§ 193j. Suspension of prohibitions against use of grounds

In order to admit of the due observance within the United States Capitol Grounds of occasions of national interest becoming the cognizance and entertainment of Congress, the President of the Senate and the Speaker of the House of Representatives, acting concurrently, are authorized to suspend for such proper occasions so much of the prohibitions contained in sections 193b to 193g of this title as would prevent the use of the roads and walks of the said grounds by processions or assemblages, and the use upon them of suitable decorations, music, addresses, and ceremonies: *Provided*, That responsible officers shall have been appointed, and arrangements determined which are adequate, in the judgment of said President of the Senate and Speaker of the House of Representatives, for the maintenance of suitable order and decorum in the proceedings, and for guarding the Capitol and its grounds from injury.

(July 31, 1946, ch. 707, § 11, 60 Stat. 719.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 136, 174b-1, 184a, 193g, 193h, 193i, 193k, 193l, 193m, 212a, 212c of this title.

§ 193k. Power of Capitol Police Board to suspend prohibitions

In the absence from Washington of either of the officers, designated in section 193j of this title, the authority therein given to suspend certain prohibitions of sections 193a to 193m, 207a, 212a, 212a-2, 212a-3, and 212b of this title shall devolve upon the other, and in the absence from Washington of both it shall devolve upon the Capitol Police Board: *Provided*, That notwithstanding the provisions of sections 193g and 193j of this title, the Capitol Police Board is authorized to grant the Mayor of the District of Columbia authority to permit the use of Louisiana Avenue for any of the purposes prohibited by section 193g of this title.

(July 31, 1946, ch. 707, § 12, 60 Stat. 719; 1967 Reorg. Plan No. 3, § 401, eff. Nov. 3, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 93-198, title IV, § 421, Dec. 24, 1973, 87 Stat. 789.)

TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, functions of Board of Commissioners of District of Columbia transferred to Commissioner of District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198. Accordingly, "Mayor" substituted in text for "commissioners".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 136, 174b-1, 184a, 193g, 193h, 193i, 193j, 193m, 212a, 212c of this title.

§ 193l. Concerts on grounds

Nothing in sections 193a to 193k, 207a, 212a, 212a-2, and 212a-3, of this title shall be construed to prohibit the giving of concerts in the United States Capitol Grounds, at such times as will

not interfere with the Congress, by any band in the service of the United States, when and as authorized by the Architect of the Capitol.

(July 31, 1946, ch. 707, § 13, 60 Stat. 720.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 136, 174b-1, 184a, 193h, 193i, 193k, 193m, 212a, 212c of this title.

§ 193m. Definitions

As used in sections 193a to 193m, 207a, 212a, 212a-2, 212a-3, and 212b of this title—

(1) The term "Capitol Buildings" means the United States Capitol, the Senate and House Office Buildings and garages, the Capitol Power Plant, all subways and enclosed passages connecting two or more of such structures, and the real property underlying and enclosed by any such structure.

(2) The term "firearm" shall have the same meaning as when used in section 901(3) of title 15.

(3) The term "dangerous weapon" includes all articles enumerated in section 14(a) of the Act of July 8, 1932 (47 Stat. 654, as amended; D.C. Code, sec. 22-3214(a)) and also any device designed to expel or hurl a projectile capable of causing injury to persons or property, daggers, dirks, stilettos, and knives having blades over three inches in length.

(4) The term "explosive" shall have the same meaning as when used in section 121(1) of title 50.

(5) The term "act of physical violence" means any act involving (1) an assault or any other infliction or threat of infliction of death or bodily harm upon any individual, or (2) damage to or destruction of any real property or personal property.

(July 31, 1946, ch. 707, § 16(a), 60 Stat. 721; Pub. L. 90-108, § 1(d), Oct. 20, 1967, 81 Stat. 277.)

REFERENCES IN TEXT

Section 901(3) of title 15, referred to in par. (2), was repealed by Pub. L. 90-351, title IX, § 906, June 19, 1968, 82 Stat. 234. For regulation of firearms, see chapter 44 (§ 921 et seq.) of Title 18, Crimes and Criminal Procedure.

The Act of July 8, 1932, referred to in par. (3), is act July 8, 1932, ch. 465, 47 Stat. 650, as amended, which is not classified to the Code.

Section 121 of title 50, referred to in par. (4), was repealed by Pub. L. 91-452, title XI, § 1106(a), Oct. 15, 1970, 84 Stat. 960. For regulation of explosives, see chapter 40 (§ 841 et seq.) of Title 18.

CODIFICATION

Section is comprised of subsection (a) of section 16 of act of July 31, 1946. Subsection (b) of section 16 is set out as a note under section 193a of this title.

AMENDMENTS

1967—Pub. L. 90-108 struck out provision exempting inside of Capitol Buildings from applicability of sections 193a to 193l, 212a, 212a-2, and 212b of this title, enlarged definition of "Capitol Buildings" to include garages, subways and enclosed passages and the real property underlying and enclosed by certain enumerated structures, and defined "firearm", "dangerous weapon", "explosive", and "act of physical violence".

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-108 effective Oct. 20, 1967, see section 3 of Pub. L. 90-108, set out as a note under section 193a of this title.